

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-6323-CR-HURLEY

UNITED STATES OF AMERICA

v.

JOHN ANTHONY ANSELMO et al.,

DEFENDANTS,

NOV 21 2000
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CLERK'S OFFICE, USDC/SDFL/FIL



GOVERNMENT'S RESPONSE TO STANDING DISCOVERY ORDER

The United States of America, in response to the Standing Discovery Order issued in this case file this response which is alphabetized and numbered to correspond to that original order and states as follows:

- A. 1. There are no written or recorded statements made by the defendant.
2. The defendant made oral statements after arrest, in this matter in response to interrogation by a then known-to-be government agent. See attached four (4) page statement of the defendant given to FBI S/A Jim Lewis on October 31, 2000.
3. Defendant did not testify before the grand jury.
4. The defendant has a criminal history which is attached.
5. Books, papers, documents, photographs, tangible objects, buildings or places which the government intends to use as evidence at trial to prove its case in chief, or were obtained from or belonging to the defendant, include but are not limited to: demand note from October 16, 2000. Bank of America robbery; Surveillance photographs from the October 16, 2000. Bank of America robbery; FDIC Certificate for Bank of America; Broward Sheriff's Office offender photo of John ANSELMO; executed Miami Beach Police Department Miranda Warning dated October 31, 2000; black low top sneakers and large black Casio wrist watch.
6. The results or reports of physical or mental examinations or scientific tests or experiments made in connection with this case, if any exist, will be provided as soon as they are received by the undersigned.

B. The United States requests the discovery and production



of those items described and listed in paragraph B of the Standing Discovery Order, and as provided by Federal Rule of Criminal Procedure 16(b).

C. The only information or material known to the United States which may be favorable to the defendant on the issues of guilt or punishment within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963) or United States v. Agurs, 427 U.S. 97 (1976) is as follows: none known.

D. The existence and substance of payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses within the scope of United States v. Giglio, 405 U.S. 150 (1972) and Napue v. Illinois, 360 U.S. 264 (1959) is as follows: none known

E. None Known

F. The defendants were not identified in any photo spread.

G. The government agents and officers involved in this case have been advised to preserve all rough notes they may have taken.

H. The United States will advise the defendant, prior to trial, of its intent to introduce during its case in chief, evidence of other crimes, wrongs or acts as provided by Federal Rule of Evidence 404(b). Any evidence made available for inspection may be offered in the government's case in chief under Federal Rule of Evidence 404(b) or otherwise. On October 23, 2000, FELTZER and Kimberly Adams robbed the Bank of America, an FDIC insured institution, located at 1601 E. Oakland Park Blvd.

I. The defendant was not an aggrieved person as defined in Title 18, United States Code, Section 2510(11), that is, the defendant was not a party to any intercepted wire or oral communication or a person against whom the interception was directed.

J. The United States has ordered transcripts of the grand jury testimony of all witnesses who will testify for the government at the trial of this case. The transcripts will be provided as required by Title 18, United States Code, Section 3500.

K. There are no controlled substances which are the subject of the indictment in this case.

L. The United States may seize or forfeit any automobile, vessel or aircraft allegedly used in the commission of the offenses in this indictment, the Mercury Topez used by the defendant in the commission of the offense.

M. Latent fingerprints of the defendant were recovered in this case. Latent Finger prints were recovered from front door

handle of the SouthTrust bank in Pompano Beach, Florida on October 16, 2000. These prints were compared with the known fingerprints of Joseph Felzer and it was determined that the recovered fingerprints matched the known prints of Joseph Felzer. The lab report of the comparison referenced above is attached.

The United States demands, pursuant to Federal Rule of Criminal Procedure 12.1, notice of the defendant's intention to offer a defense of alibi. The approximate date, time and place at which the alleged offenses were committed are as follows:

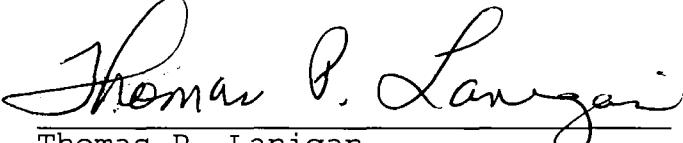
Time and Date: 12:15 PM October 16, 2000; 3:00 PM October 16, 2000; 11:00 AM October 19, 2000; 3:00PM October 24, 2000 (ANSELMO); and 3:12PM October 24, 2000 (ANSELMO).

Place: Broward County, Florida

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

By:


Thomas P. Lanigan
ASSISTANT UNITED STATES ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Government's Response to Standing Discovery Order was mailed this 21 st day of November, 2000 to: Martin Bidwell, Supervisory Assistant Federal Public Defender, 400 Australian Ave south suite 300 West Palm Beach, FL 33401.


Thomas P. Lanigan
ASSISTANT UNITED STATES ATTORNEY

cc: S/A Eric C. Miller, FBI

Offender Photo

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BSOPICS

JMS Number: 190000135

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New Query



Anselmo, John Anthony
09/02/64

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New Query

Miami Beach Police Department

MIRANDA WARNING

BEFORE YOU ARE ASKED ANY QUESTIONS, YOU MUST UNDERSTAND THE FOLLOWING RIGHTS:

1. You have a right to remain silent and you do not have to talk to me if you do not wish to do so. You do not have to answer any of my questions. Do you understand that right?

YES: NO: _____

2. Should you talk to me, anything which you might say may be introduced into evidence in court against you. Do you understand?

YES: NO: _____

3. If you want a lawyer to be present during questioning, at this time or anytime hereafter, you are entitled to have the lawyer present. Do you understand that right?

YES: NO: _____

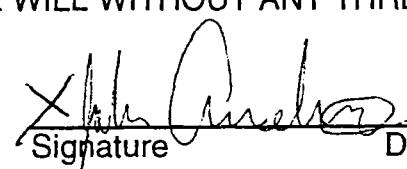
4. If you cannot afford to pay for a lawyer, one will be provided for you at no cost if you want one. Do you understand that right?

YES: NO: _____

KNOWING THESE RIGHTS, ARE YOU NOW WILLING TO ANSWER MY QUESTIONS WITHOUT HAVING A LAWYER PRESENT?

YES: NO: _____

THIS STATEMENT IS SIGNED OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES HAVING BEEN MADE TO ME.

 10/31/00 \$100
Signature Date/Time

S/A James T. Lewis FBI Miami
Advising Officer Date/Time 10/31/00
4:00 PM

Witness

Date/Time

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/14/2000

JOHN ANTHONY ANSELMO, white male, date of birth (DOB): September 2, 1964, Social Security Account Number (SSAN): 261-91-7830, was interviewed at the MIAMI BEACH POLICE DEPARTMENT (MBPD) by Special Agent (SA) JAMES T. LEWIS and BROWARD COUNTY SHERIFF'S OFFICE (BSO) Detective JAMES YOUNG. This interview was conducted subsequent to ANSELMO's arrest in Miami Beach for a shoplifting violation. ANSELMO's true identity was determined after the arrest, which revealed one outstanding Federal warrant for bank robbery. Thereafter, SA LEWIS responded to MBPD for this interview. This interview was initiated at approximately 3:52 p.m. in an interview room of the Criminal Investigation Division of the MBPD.

ANSELMO stated that he last ate approximately five days ago and had only been snacking over the past few days. He stated that he last used drugs, specifically heroin intravenously, yesterday. He stated that on this date he had drank two beers. ANSELMO was given a soda and a candy bar at 4:08 p.m. ANSELMO was read his Miranda warnings by SA LEWIS, via a MBPD Miranda warning form. ANSELMO indicated that he wished to waive his Miranda rights and thereafter signed the form. The original advice of rights form will be placed in the 1-A section of the file. Although tired, ANSELMO appeared to understand SA LEWIS and provided a coherent statement. ANSELMO was informed that he had been charged via criminal complaint with one count of bank robbery for the robbery of the WASHINGTON MUTUAL SAVINGS BANK on October 24, 2000. However, ANSELMO was also informed that he was suspected in several other bank robberies in Broward County within the past few weeks. Thereafter, ANSELMO provided the following information:

ANSELMO admitted to robbing the BANK OF AMERICA on University Drive in Davie and identified this bank as the first robbery he committed. He stated he entered the bank with a note and asked for money. Upon receiving money, he exited the bank where after the dye pack exploded and he dropped the bag. He identified JOSEPH FELZER as being with him during this robbery and stated that FELZER drove the get-away truck. ANSELMO stated he first met FELZER at a crack house in Fort Lauderdale off of Sunrise Boulevard. However, ANSELMO did not remember first going into the REGION BANK prior to the commission of the bank robbery.

Investigation on 10/31/2000 at Miami Beach, FloridaFile # 91A-MM-96207 Date dictated 11/06/2000by SA JAMES T. LEWIS JTL:blc

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TINA and BARBARA ANSELMO

, On 10/31/2000

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Thereafter, ANSELMO was shown a surveillance photograph from the BANK OF AMERICA robbery on October 16, 2000. He identified himself in the photograph and signed and dated the back of the photograph. For informational purposes, all surveillances photographs signed by ANSELMO will be placed in the 1-A section of the file.

ANSELMO was then asked about the robbery of the SOUTH TRUST BANK, 3885 North Federal Highway, Pompano Beach, Florida on the same day as the BANK OF AMERICA robbery, October 16, 2000. He admitted to robbing the bank and again stated that he showed the victim teller a note and received an unknown amount of money. It should also be noted that at this time BSO Detective YOUNG joined in on the interview of ANSELMO. ANSELMO stated that FELZER was at the door and also drove the get-away car after the robbery. He stated that FELZER was involved in a hit and run accident after this robbery and that they went to a local gas station to get gas. ANSELMO stated that he was high during all of these robberies and did not remember the exact name of the bank. He again signed and dated the back of a surveillance photograph from that robbery, indicating that it was him depicted in the picture.

ANSELMO was then asked about his involvement in the robbery of the REPUBLIC BANK, 1886 West Hillsborough Boulevard, Deerfield Beach, Florida, on October 19, 2000. He stated that he did go into that bank located on Hillsborough and further identified it as being near CENTURY VILLAGE. He again stated that JOSEPH FELZER was driving the truck during the commission of the robbery, further identified as a Chevrolet S-10 pickup truck. He did not have any recollection of the specific names of banks that he entered shortly before the robbery. He admitted to presenting the victim teller a note and receiving an unknown amount of money during the robbery. He again left the bank with FELZER and stated that they both got high on drugs after this robbery.

The next robbery ANSELMO admitted to being involved in was the attempted robbery of the NORTHERN TRUST BANK, 2601 East Oakland Park Boulevard, Fort Lauderdale, Florida, on October 24, 2000. ANSELMO admitted to standing in line, but only stated that he left the bank without obtaining any money. However, he then admitted to entering a bank, further identified as the WASHINGTON MUTUAL SAVINGS BANK, located on Federal Highway near Oakland Park Boulevard shortly after leaving the NORTHERN TRUST BANK. ANSELMO stated that he hooked up with a newspaper vendor on Federal Highway and Commercial Boulevard, but that the vendor did not realize that ANSELMO was committing a bank robbery. ANSELMO stated that he

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TINA and BARBARA ANSELMO

, On 10/31/2000

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presented a demand note and received an unknown amount of money. He then admitted to getting dropped off in a taxi after the robbery at PEACHES in Fort Lauderdale. He was shown a surveillance photograph from this robbery and signed and dated the back of the surveillance photograph, indicating that it was him depicted in the photograph.

ANSELMO stated that he has been staying and living on the street since this last bank robbery. He admitted to visiting Hollywood, Fort Lauderdale and Miami Beach and sleeping on the beach. ANSELMO stated he did not remember a white female named ANGIE being in a car after the robbery of the SOUTH TRUST BANK on October 16, 2000.

ANSELMO stated that he was sorry for robbing all of the banks, and admitted to robbing all of the banks. He said he felt bad about doing the robberies, but he got the idea for robbing the banks from JOSEPH FELZER. ANSELMO was either high or stoned during all of the robberies and even said that he saw the coverage of one of his bank robberies on a local television station. He also heard that FELZER had been arrested after the robbery of the BANK OF AMERICA on October 23, 2000. He stated that his motivation for robbing the banks was to get money for the purchase of crack cocaine or heroin.

ANSELMO stated that all of the demand notes, except for the one that he left at the first bank robbery, were ripped up. He said that he had been pissed off at JOSEPH FELZER because FELZER did not care if he got caught, and was treating the whole thing as a joke. He even talked to FELZER about leaving town and traveling to Tennessee. ANSELMO stated that he told FELZER his name was "ANTHONY RUSSO."

When asked again about the robbery of the WASHINGTON MUTUAL SAVINGS BANK on October 24, 2000, ANSELMO further admitted to calling the taxi cab from a nearby motel. He again stated that he did not remember the second subject's name and that they split off shortly after driving away in the cab. However, he said that he picked up a third unknown subject at a WALGREENS pharmacy to go get crack cocaine. He then stated he gave the cab driver \$100.00 for his fare.

ANSELMO said that FELZER sold and/or traded his pickup truck to local drug dealers for crack cocaine. He also said that

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, On 10/31/2000

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in reference to ANGIE, he often would have sex and smoke crack cocaine with her.

SA LEWIS took custody of ANSELMO's shoes and black wrist watch, which were worn in several of the bank robberies and clearly depicted in bank surveillance pictures. These items will be placed in the bulky room for evidentiary purposes. This interview with ANSELMO ended at approximately 4:47 p.m.

ANSELMO was further described as follows:

Race:	White
Sex:	Male
Date of birth:	September 2, 1964
Height:	5'5"
Weight:	120
Eyes:	Brown
Hair:	Black
Place of birth:	Illinois
Social Security	
Account Number:	261-91-7830
FBI Number:	459352EA6

Thereafter, ANSELMO was transported to the DADE COUNTY JAIL by a local MBPD police officer.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/27/00

Pursuant to the bank robbery investigation of the BANK OF AMERICA, 3580 University Drive, Davie, Florida, on October 16, 2000, Special Agent (SA) JAMES T. LEWIS obtained a copy of the FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) certificate, which revealed a issue number of 3510-6 and an issue date of July 23, 1999. A copy of this FDIC certificate will be placed in the 1A section of the file.

Investigation on 10/16/00 at Davie, FloridaFile # 91A-MM-96207 Date dictated 10/24/00by SA JAMES T. LEWIS JTL:mlt

BROWARD SHERIFF'S OFFICE
BROWARD COUNTY, FLORIDA
Complete by printing or typing first two lines of form and across left of double vertical line.

Date: 11/21/00
Page: 11 of 16

LATENT FINGERPRINT REPORT

Lab Number: 00-111111

OTHER AGENCY CASE NUMBER:	AGENCY: BSO	OFFENSE: 13-00-1	CASE NO: BSO			
VICTIM: 12-11-1	LOCATION OF OFFENSE: 33rd - NW 1st Street, Ft. Lauderdale, FL 33301		ZONE:			
Card Number	PHOTOS/LIFTS OBTAINED FROM	Location Investigator Examiner	Of Value Yes No	Printed Finger Prints	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)	RECEIVED BY: DATE:
1.	1. SBS original report					
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
Evidence Processed by: SIGN		DATE	EVALUATED BY: SIGN	DATE		
PRINT	CCN	PRINT	CCN	PRINT	CCN	
ELIMINATION PRINTS		Prints Actual	DOB	Identified Yes No	Card Number	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)
Name:						
Name:						
Name:						
SUSPECTS	DOB	Identified Yes No	Card Number	IDENTIFICATION EFFECTED	Fingerprint Standardized by	Date Obtained
Name: John Anthony Arcelous	3/12/64	XX				
Name: John Anthony Arcelous	12/15/71	XX	14	Left: Thumb	BSO # 6920	8/30/92
Name:						
Name:						
Investigating Detective: SIGN	DATE: 11/21/00	CCN: 4302	Raranta:			
PRINT: BSO	CCN: 4302					
Business Telephone: 305-123-1234	Pager: 555-1234					
Verified by: AFIS Entry	DOAs DOB	Need Elimination Prints	DOAs	CCN: R545	Date: 11/21/00	

BROWARD SHERIFF'S OFFICE
BROWARD COUNTY, FLORIDA

BROWARD COUNTY, FLORIDA

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LATENT FINGERPRINT REPORT Lab Number:

00-2211

Date: 11/2 | 05


LATENT FINGERPRINT REPORT Lab Number: **80-22118**
Date: October 16, 2000

Complete by printing or typing first two lines of form and area left of double vertical line.

80-22118
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OTHER AGENCY CASE NUMBER: SOUTH TRUST BANK		AGENCY: BSO	OFFENSE: ROBBERY (BANK)	CASE NO:BSO BS00-10-8223				
		LOCATION OF OFFENSE: 3885 N. FEDERAL HWY		ZONE: 903				
Card Number	PHOTOS/LIFTS OBTAINED FROM	Location Interior/Exterior	Q't Value Yes No	Prints Finger Print	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)	RECEIVED BY: <i>John E. Souler</i>	DATE: <i>10/16/00</i>	
1.	LATENT/ COUNTER	✓	✓	X				
2.	LATENT/ COUNTER	✓	✓	X				
3.	LATENT/ COUNTER	✓	✓	X				
4.	LATENT/ FORM DESK	✓	✓	X				
5.	LATENT/ BACK OF THE DOORS' HAND RAIL	✓	✓	X				
6.	LATENT/ BACK OF THE DOORS' HAND RAIL	✓	✓	X				
7.	LATENT/ BACK OF THE DOORS' HAND RAIL	✓	✓	X				
8.	LATENT/ BACK OF THE DOORS' HAND RAIL	✓	✓	X				
9.	LATENT/ SIDE OF THE DOOR	✓	✓	X				
10.	LATENT/ DOOR GLASS	✓	✓	X				
Evidence Processed by: SIGN		DATE 10-16-00		Evaluated by: John E. Souler		DATE 10/16/00		
PRINT DEPUTY PAUL YESBECK		PRINT ID# 9009 CCN		PRINT Eva E. Souler		CCN 8548		
ELIMINATION PRINTS		Prints Attached	DOB	Identified Yes No	Card Number	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)		
Name:								
Name:								
SUSPECTS		DOB	Identified Yes No	Card Number	IDENTIFICATION EFFECTED		Fingerprint Standards by	Date Obtained
Name:								
Name:								
Name:								
Investigating Detective: SIGN		DATE CCN		Remarks:				
PRINT Business Telephone:		PRINT Paper:		Verified by: Ajis Entry		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Need Elimination Prints YES	
						Latent Examiner's Name: CCN: Date:		


LATENT FINGERPRINT REPORT Lab Number:

Date: OCTOBER 16, 2000

Complete by printing or typing first two lines of form and area left of double vertical line.

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OTHER AGENCY CASE NUMBER:		AGENCY:	OFFENSE: ROBBERY (BANK)			CASE NO:BSO	ZONE: 903
VICTIM:	Southtrust Bank			LOCATION OF OFFENSE: 3885 N. FEDERAL HWY, POMPANO, FLORIDA			BS00-10-8223
Card Number	PHOTOS/LIFTS OBTAINED FROM		Location Interior/Exterior	Of Value Yes No	Prints Finger/Palm	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)	
11. LATENT/DOOR GLASS			✓		✓		
12. LATENT/DOOR GLASS			✓		✓		
13. LATENT/DOOR GLASS			✓		X	IMPRESSION	
14. LATENT/ FRONT OF THE DOOR HANDLE			✓		X		
5.							
6.							
7.							
8.							
9.							
10.							
Evidence Processed by: <i>[Signature]</i>		DATE 10-16-00		PRINT DEPUTY PAUL YESBECK ID# 9009 CCN		Evaluated by: <i>Barb E. Schuler</i> DATE 10-	
ELIMINATION PRINTS		Prints Attached	DOB	Identified Yes No	Card Number	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)	
SUSPECTS			DOB	Identified Yes No	Card Number	IDENTIFICATION EFFECTED	
Name:						Fingerprint Standards by	Date Obtained
Name:							
Name:							
Name:							
Investigating Detective:		DATE		Remarks:			
SIGN							
PRINT							
Business Telephone:		CCN		Verifier by:		AFIS Entry <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Need Elimination Prints <input checked="" type="checkbox"/> Yes
						CCN:	Date:

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/13/2000

Pursuant to the bank robbery investigation of the WASHINGTON MUTUAL SAVINGS BANK, 3201 North Federal Highway, Fort Lauderdale, Florida, Special Agent (SA) JAMES T. LEWIS obtained a copy of the bank's FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) certificate. The certificate bore an issue date of October 1, 1997, and a number of 32633-0. A copy of the FDIC certificate will be placed in the 1-A section of the file.

Investigation on 10/24/2000 at Fort Lauderdale, Florida
File # 91A-MM-96297 Date dictated 11/6/2000
by SA JAMES T. LEWIS JTL:blc

